

Memo

To: Town Board Members

From: Jonathan Bleuer, Assistant Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: July 5, 2017

Re: July 12, 2017 Town Board Meeting

Following is a review/analysis of the items listed on the July 12, 2017 Town Board Meeting Agenda:

PUBLIC HEARING ITEMS:

1. BEVILACQUA DEVELOPMENT COMPANY, 6031 TRANSIT ROAD.

Location: East side of Transit Road north of Clarence Center Road.

Description/History: Existing vacant property located in the Commercial Zone, former Buggy Wash carwash.

Proposal: Applicant is seeking approval to construct a new retail/restaurant plaza.

Comprehensive Plan: Area identified in a commercial zone.

Reason for Town Board Action: Drive-thru facilities require a Special Exception Use Permit as approved by the Town Board.

Issues: The Planning Board has issued a Negative Declaration on the project and approved the Concept Plan. A public hearing is required to consider the permit.

FORMAL AGENDA ITEMS:

1. LEGACY WOODS, WEST SIDE OF NEWHOUSE ROAD.

Location: West side of Newhouse Road south of Clarence Center Road.

Description/History: Existing vacant parcel containing 55+ acres in the Residential Single Family Zone.

Proposal: Applicant is proposing to develop an Open Space Design Subdivision.

Comprehensive Plan: Area identified in a residential classification and located within Erie County Sewer District #5.

Reason for Town Board Action: Per the Zoning Law the Town Board will be Lead Agency on this project review.

Issues: The applicant has now completed a Part 1 Environmental Assessment Form and the Town Board, as Lead Agency, may proceed with coordinated review and seeking Lead Agency status.

2. ROB BLANDFORD, 5355 WILLOW LAKE DRIVE.

Location: Northeast end of Willow Lake Drive.

Description/History: Existing vacant lot located in the Residential Single Family Zone.

Proposal: Applicant is proposing to construct a new home with an in-law living unit included.

Comprehensive Plan: Area identified in the residential zone.

Reason for Town Board Action: Per the Zoning Law the Town Board may consider secondary living units via a Special Exception Use Permit.

Issues: A public hearing will be required to consider the permit.

3. DANIEL AND MARIE MULANIFF, 9296 KRISTINA CIRCLE.

Location: West side of Goodrich Road north of Keller Road with a driveway connection to Kristina Circle.

Description/History: Existing home located on 27 + acres in the Agriculture Rural Residential Zone.

Proposal: Applicant is seeking approval to connect to the existing sewer line and is requesting an out of district customer approval from Clarence Sewer District #2.

Comprehensive Plan: Area identified in an agricultural zone. Recent sewer extension to County Road Industrial Park traverses the property.

Reason for Town Board Action: The Town Board are Commissioners of Clarence Sewer District #2 and may approve out of district customer requests.

Issues: As the project is upstream of and connected through Erie County Sewer District #5, the Board of Managers of ECSD#5 has approved the proposal.

4. KEN LOEWER, 10155 KELLER ROAD.

Location: South side of Keller Road, west of Strickler Road.

Description/History: Existing residential property located in the Agriculture Rural Residential Zone.

Proposal: Applicant is proposing to celebrate a significant milestone and is requesting a permit for a fireworks display.

Reason for Town Board Action: Per Code, the Town Board has authority to approve fireworks display permits.

Issues: All application materials, fees, insurance/bonds are in the file. The fire chief is reviewing the proposal.

WORK SESSION ITEMS:

1. BLUE WIRELESS, 8135 SHERIDAN DRIVE.

Location: South side of Sheridan Drive east of access to Eastern Hills Mall.

Description/History: Existing commercial property located in the Commercial Zone. Current use is the Buck and Doe Shop.

Proposal: Applicant is seeking approval to construct a wireless communications monopole.

Comprehensive Plan: Area identified in a commercial classification.

Reason for Town Board Action: Per the Satellite, Antenna and Tower Law, the Town Board may approve towers via a Special Exception Use Permit.

Issues: The proposed tower is not in compliance with local code requirements as the height exceeds the 100' height maximum and the setbacks, while 100' are not the required height of tower (140'). The project will require site plan approval by the Planning Board, a height and setback variance from the ZBA as well as the Special Exception Use Permit by the Town Board.